



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,845	03/16/2004	Marcee Burns	030828 (BLL-0179)	3111

36192 7590 09/14/2009

AT&T Legal Department - CC

Attn: Patent Docketing

Room 2A-207

One AT&T Way

Bedminster, NJ 07921

EXAMINER

LAN, TZU-HSIANG

ART UNIT

PAPER NUMBER

3623

MAIL DATE

DELIVERY MODE

09/14/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/801,845	<b>Applicant(s)</b> BURNS ET AL.	
	<b>Examiner</b> TZU-HSIANG (SEAN) LAN	<b>Art Unit</b> 3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/30/2009</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Introduction***

The following is a non-final office action in response to the communications received on June 16, 2009. Claims 1-19 are now pending in this application.

### ***Response to Amendment***

**As for claims 12-19**, previous 35 U.S.C. 112 second paragraph rejection is withdrawn in light of applicant's amendment.

**As for claims 9-19**, previous 35 U.S.C. 101 rejection is withdrawn in light of applicant's amendment.

***Response to Arguments***

Applicant's arguments filed 6/16/2009 have been fully considered but they are not persuasive with exception of common ownership argument for Lee reference.

In response to applicant's argument that amendment in claim 1 puts claims 1-4 in patentable condition with respect to 35 U.S.C. 101, examiner respectfully disagrees. Applicant is reminded that "the machine or transformation must impose meaningful limits on the method claim's scope to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means reciting a specific machine or a particular transformation of a specific article in an insignificant step, such a data gathering or outputting, is not sufficient to pass the test."

Here, applicant recites that web-based reporting services is implemented on a host system in the preamble, and recites said host system making report available for said requester. Implementation of web-based services does not impose meaningful limits on the method claim's scope because the method claim's scope is directing towards authorization and data retrieval for requesting a report, not implementation of the service. Further, making report available for said requestor is considered to be an insignificant extra-solution activity because making report available can be understood as merely outputting a finished result.

In response to applicant's argument that combination of Rosenzweig, Smith, and Barton do not teach verifying authorization before providing a requester with a template, examiner respectfully disagrees.

Here, Rosenzweig teaches authorization before providing requester in col. 4 lines 30-68), further, in col. 4 line 65 - col. 5 line 15, Rosenzweig implicitly teaches providing requester with a template i.e. user able to select report format and information etc.

In response to applicant's argument that it would not be obvious for one of ordinary skill in the art to retrieve model-based ordering system data and compiling a report using model-based order system data with at least one order and said budget by combining Volquardsen with Rosenzweig, Smith and Barton, examiner respectfully disagrees.

Here, Rosenzweig, Smith and Barton have already disclosed reporting system in claim 1. Claim 2 is depended on claim 1, and it recites a conditional statement "when said report type is a model report retrieve ordering data." Volquardsen clearly teaches model report that retrieves model-based ordering data, while report using at least one order and budget data. It would have been obvious that price for each order can be consider as budget data.

Further, it would have been obvious for one with ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith and Barton with Volquardsen since all the references are analogous for processing and displaying report; further, because incorporating model data with budge and order information would provide more detailed

Art Unit: 3623

report for company's budget analysis remotely through computer network (Volquardsen ¶ 29-30). In addition, since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

In response to applicant's argument that combination of Rosenzweig, Smith, Barton, and Charles do not teach "information relating to ... engineering," examiner respectfully disagrees.

Here, applicant does not explicitly teach what exactly is information relating to engineering, examiner takes on the broadest reasonable interpretation that projection description or project name sufficiently show information relating to engineering i.e. HVAC upgrade or switchgear transfer provide particular engineering work information relating to the project.

However, applicant's arguments, with respect to the rejection(s) of claim(s) 4, 8 and 13 under common ownership for Lee reference (US 6640143) have been fully considered and are persuasive. Therefore, the rejections for claims 4, 8 and 13 have been **withdrawn** due to disqualification of Lee reference. However, upon further consideration, a new ground(s) of rejection is made in view of following rejection.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 1-4** are rejected under 35 U.S.C. 101 because claims 1-14 describe a process without an obvious tie to another statutory class. In order for a method to be considered a “process” under 35 U.S.C. 101, a claimed process must either: (1) be tied to a particular machine or apparatus or (2) transforms a particular article to a different state or thing. This is called “machine-or-transformation test.” See *In re Bilski*, 545 F.3d 943, 88 USPQ2d 1385 (Fed. Cir. 2008). There are two corollaries to the machine-or-transformation test. First, a mere field-of-use limitation is generally insufficient to render an otherwise ineligible method claim patent-eligible. This means the machine or transformation must impose meaningful limits on the method claim's scope to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means reciting a specific machine or a particular transformation of a specific article in an insignificant step, such as data gathering or outputting, is not sufficient to pass the test.

A method/process claim that fails to meet one of the above requirements is not in compliance with the statutory requirement of 35 U.S.C. 101 for patent eligible subject matter. Here, applicant recites that web-based reporting services is implemented on a host system in the preamble, and recites said host system making report available for said requester. Implementation of web-based services does not impose meaningful limits on the method claim's scope because the method claim's scope is directing

Art Unit: 3623

towards authorization and data retrieval for requesting a report, not implementation of the service. Further, making report available for said requestor is considered to be an insignificant extra-solution activity because making report available merely shows an outputting action. Since the applicant's method steps fail the both prongs of the new Federal Circuit decision, claims 1-4 are non-statutory.

When amending claims 1-4, applicant is reminded that nominal recitations of structure in an otherwise ineligible method fail to make the method a statutory process. See *Benson*, 409 U.S. at 71-72. As *Comiskey* recognized, "the mere use of the machine to collect data necessary for application of the mental process may not make the claim patentable subject matter." *Comiskey*, 499 F.3d at 1380 (citing *In re Grams*, 888 F.2d 835, 839-40 (Fed. Cir. 1989)) incidental physical limitation, such as data gathering, field of use limitation, and post-solution activities are not enough to covert an abstract idea into a statutory process. In other words, nominal or token recitations of structure in a method claim do not convert an otherwise ineligible claim into an eligible one.



***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 1, 3-5, 7-10, and 14-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent application 2002/0147668 to Smith et al. ("**Smith**") further in view of US patent 7430517 to **Barton**.

**As to claim 1**, Rosenzweig discloses the claimed invention substantially including a computer-implemented method for providing web-based reporting services to a business (col. 4 lines 32-34) entity, said web-based services implemented on a host system (fig 3), the method comprising:

**providing a user interface to a client system in response to a request for a report** (col. 4 line 28 – col. 5 line 15 i.e. browser with user interface), **said report specifying a report type** (col. 3 lines 1-24 i.e. every report associate with a report type);

**providing a requester with a template only if said requester is authorized to receive said report** (col. 4 lines 38-60 user interface for requesting report corresponds to template);

**prompting said requester to enter request data in said template** (col. 6 lines 5-36 i.e. report type, date, and possibly a segment which requester wishes to view);

**upon receiving said request data, searching a database for a dataset corresponding to said request data** (col. 5 lines 5-14 receiving request data such as vender index, then search database for data set corresponding to said request);

**if said dataset is found, retrieving at least one order from said database in accordance with a report type requested** (Fig. 1 i.e. an order from a specific vendor is retrieved from data base accordance with a report type account payable); and

**said host system making said report available to said requester over a web-based network** (col. 6 lines 5-14 and col. 6 lines 5-36);

**wherein said report type comprises at least one of: a cost report** (Fig. 1); **and a custom search report** (Fig 1, and col. 6 lines 5-36). Since applicant used the language “at least one of,” teaching of one report will be sufficient to address this limitation.

However, Rosenzweig does not explicitly disclose:

retrieving budget data related to said at least one order;

compiling a report using said at least one order and said budget data; and

wherein said report includes at least one of a cost driver and a timeliness driver;

Smith discloses:

**Retrieving budget data related to said at least one order** (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63); and

**Compiling a report using said at least one order and said budget data**

(Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63).

Barton discloses:

**Report includes a cost driver and a timeliness driver** (Fig 14-15d i.e. cost for a task and associated time to finish a task).

Although all three references does not explicitly recites “returning error message when dataset is not found,” an official notice was previously taken, now consider as admitted prior art, that it is old and well known at the time of invention for a system to return an error message when certain dataset is missing or can not be retrieved.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig with Smith and Barton because all three prior arts are analogous for discussing different aspect of reporting function relating to a reporting system. Moreover, it would be obvious to modify Rosenzweig with Smith because having a reporting system able to retrieve data and compiling report based on said data would facilitate operation effectiveness by reducing manual data transfer. Further, it would be obvious for one of ordinary skill in the art at the time of the invention to modify Rosenzweig and Smith with Barton because including cost and timeliness driver in the report because it would allow report requestor to sort through content of interest effectively. Since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did

Art Unit: 3623

separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 3**, see the discussion in claim 1 above. Rosenzweig, Smith and Barton further disclose:

in-place cost factors operable for identifying a total cost for an order or project including any labor costs, said total cost relating to standard activities performed by, and on behalf of, an enterprise (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63 i.e. labor cost and material cost);

custom detail costs operable for identifying expenditures that relate to non-standard activities performed by, and on behalf of, said enterprise (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63 i.e. permit cost); and

miscellaneous costs operable for identifying costs that are not related to said in-place cost factors and said custom detail costs (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63 i.e. subcontractor cost).

In-place cost factor, custom detail costs, and miscellaneous cost are cost allocation based on enterprise management's discretion. In the example provided by Smith, examiner interprets labor and material cost as in-place cost relating to standard activities performed by an enterprise; permit cost is interpreted as non-standard activities performed by said enterprise; and subcontractor cost is interpreted as no related to in-place cost and custom detail cost. However, one with ordinary skill in the art at the time of the invention would be able to allocate cost differently if one so desires

to do so, because cost categorization is well known in the art at the time of the invention.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig and Barton with Smith since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 4**, see the discussion in claim 1 above. Rosenzweig, Smith and Barton further disclose:

a completion date met operable for identifying timeliness of completion of activities performed (Barton, Fig 14 – 15d, i.e. delivered date for task completion).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, with Barton because incorporating a completion date would provide more detailed information for tracking contractor's performance; hence, assist future contractor selection for the enterprise.

**As to claim 5**, Rosenzweig, Smith and Barton disclose the claimed invention substantially. All the limitations of claim 5 are of the same scope as the limitations of claim 1, and are therefore rejected on the same basis, with following noted exceptions. Claim 5 recites a storage medium encoded with machine-readable computer program code to carry out method steps of claim 1. ¶ 35-39 of Smith discloses a computer

Art Unit: 3623

readable medium such as CD-Rom or RAM capable of storing instruction of claim 1 and carry out method steps of claim 1 when executed by a computer.

**As to claim 7**, see the discussion in claim 5 above. All the limitations of claim 7 are of the same scope as the limitations of claim 3, and are therefore rejected on the same basis.

**As to claim 8**, see the discussion in claim 5 above. All the limitations of claim 8 are of the same scope as the limitations of claim 4, and are therefore rejected on the same basis.

**As to claim 9**, Rosenzweig, Smith and Barton disclose the claimed invention substantially. All the limitations of claim 9 are of the same scope as the limitations of claim 1, and are therefore rejected on the same basis, with following noted exceptions. Claim 9 recites a system for providing web-based reporting services to a telecommunications entity, comprising:

A computer processing device in communication with at least one client system via communications network, said computer processing device including a server and a data repository storing databases of budget data and order data;

wherein said server executes web server software, a budget tool, and an ordering tool;

a user interface accessible to said at least one client system, said user interface including templates operable for entering report request data by a user of said at least one client system.

Rosenzweig, Smith and Barton further disclose a system for providing web-based reporting services to a telecommunication entity (col. 4 lines 32-34 i.e. business entity) comprising:

**a computer processing device in communication with at least one client system via communications network, said computer processing device including a server and a data repository storing databases of budget data and order data** (Rosenzweig, fig 3-4, col. 4 lines 28-40 shows computer processing device, and Figure 1 shows data includes budget and order data);

**wherein said server executes web server software, a budget tool, and an ordering tool** (Smith, ¶ 39-45, and Fig 1b-5a);

**a user interface accessible to said at least one client system** (col. 4 line 28 – col. 5 line 15 i.e. browser with user interface. Client system show in Fig 3-4), **said user interface including templates operable for entering report request data by a user of said at least one client system** (Rosenzweig, col. 4 lines 38-60 i.e. user interface for requesting report corresponds to template or Barton, Fig 15-16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig with Smith and Barton since claimed invention is merely a combination of old elements for operating a reporting system, and in the combination each element merely would have performed the same function as it did

Art Unit: 3623

separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 10**, see the discussion in claim 9 above. All the limitations of claim 10 are of the same scope as the limitations of claim 1, and are therefore rejected on the same basis.

**As to claim 14**, see the discussion in claim 10 above. Rosenzweig, Smith and Barton further disclose:

A summary cost report including an average and total for all field selected in said report request (Barton, Fig 15B); and

A detail cost report including a line-by-line itemization for reach project for all fields selected in the report request (Barton, Fig 15B).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig and Smith with Barton since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 15**, see the discussion in claim 14 above. All the limitations of claim 15 are of the same scope as the limitations of claim 3, and are therefore rejected on the same basis.



**As to claim 16**, see the discussion in claim 10 above. Rosenzweig, Smith and Barton further disclose an equipment ordering report (Fig 15a-15d i.e. shipment for equipment) incorporating projects or orders containing appendices that are billable by vendor during a period of time for review (Barton, Fig 15A -15B).

Rosenzweig, Smith and Barton do not disclose an overall percentage of projects contain appendices. However, an official notice was previously taken, now consider as admitted prior art that it was old and well known at the time of the invention to derive a percentage of projects from a total project by dividing project with appendices over total number of projects. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate an overall percentage of project contain appendices to facilitate monitoring of projects in relationship with equipment orders.

Although Rosenzweig, Smith and Barton do not explicitly disclose that ordering report is specific towards telecommunication equipment, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply this feature in telecommunication equipment order because in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 17**, see the discussion in claim 16 above. Rosenzweig, Smith and Barton further disclose that equipment order preparation report further includes field of data including at least one of:

Art Unit: 3623

a state (Barton, Fig 15B);

an order count (Barton, Fig 15B i.e. total number of BOL#);

a supplier code identify said vendor (Fig 5); and

a total number of billable appendices (Fig 15B).

Since applicant uses the phrase “at least one of,” citation for one feature will be sufficient to cover the scope of the claim. Additional citations are provided to further demonstrate the scope of disclosure by prior art.

Art Unit: 3623

**Claim 2, 6, and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over US ("Rosenzweig") in view of ("Smith"), in view of **Barton** and further in view of US patent publication 20040073434 to Volquardsen et al. ("**Volquardsen**")

**As to claim 2**, see the discussion in claim 1 above. Rosenzweig, Smith, and Barton do not explicitly disclose associating model data with order and budget report. Volquardsen discloses:

Retrieving model-based ordering system data and compiling a report using model-based order system data with at least one order and said budget (Fig 18b-20 i.e. parts number correspond to model data, and each model order has a listing price corresponds to budget, and an order).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Volquardsen because incorporating model data with budget and order information would provide more detailed expense report for company's budget analysis.

**As to claim 6**, see the discussion in claim 5 above. All the limitations of claim 6 are of the same scope as the limitations of claim 2, and are therefore rejected on the same basis.

**As to claim 11**, see the discussion in claim 9 above. All the limitations of claim 11 are of the same scope as the limitations of claim 2, and are therefore rejected on the

Art Unit: 3623

same basis, with following noted exceptions. Claim 11 recites model-based ordering system data stored in said data repository; wherein said report type is model report.

Volquardsen further disclose:

Model-based ordering system data stored in data repository (Fig 1b, ¶ 74-77);

Wherein said report type is model report (Fig 20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Volquardsen since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Art Unit: 3623

**Claims 12-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton** and further in view of US patent publication 20040186763 to Charles Smith. ("**Charles**")

**As to claim 12**, see the discussion in claim 10 above. Rosenzweig, Smith and Barton further disclose that timeliness report includes information relating to overall ordering that transpire between an enterprise and its vendors and contractors (Rosenzweig, Figure 1).

However, Rosenzweig, Smith, and Barton do not disclose that timeliness report includes engineering and install process information.

Charles discloses:

Incorporating engineering (Fig 10, procedure column, such as switchgear transfer) and install process (Fig 10; job status complete or in process) with ordering (Fig 10, job No.) that transpire between an enterprise and its vendors and contractors (Fig 10, multiple clients).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Charles because additional information presents more comprehensive report for the enterprise evaluation.

Art Unit: 3623

**As to claim 13**, see the discussion in claim 12 above. All the limitations of claim 13 are of the same scope as the limitations of claim 4, and are therefore rejected on the same basis.

Art Unit: 3623

**Claim 18-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton**, in view of US patent 5799286 to Morgan et al. ("**Morgan**")

**As to claim 18**, see the discussion in claim 10 above. Rosenzweig, Smith, and Barton do not explicitly show a driver type report. However, Morgan discloses driver type report (Fig 18A-18B) including at least one of:

- central office space conditioning work (Morgan, Fig 12 i.e. space usage/cost);
- work activities for standby engines (Morgan Fig 14 i.e. unutilized equipment); and
- work activities related to power provisioning and maintenance (Fig 13, and col. 13 liens 17-35 and Table J i.e. work activity related to equipment)

Since applicant uses the phrase "at least one of," citation for one feature will be sufficient to cover the scope of the claim. Additional citations are provided to further demonstrate the scope of disclosed by prior art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Morgan since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 19**, see the discussion in claim 18 above. Rosenzweig, Smith, Barton, and Morgan further disclose that said driver report includes at least one of:

an overall driver summary report providing aggregated total model usage and related dollar expenditures for a respective driver (Morgan, Figure 18A-B and Table J i.e. total model usage equal to over all equipment usage);

showing report during a requested period of time (Barton, Figure 15)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined overall driver summary report disclosed by Morgan with showing of requested time period disclosed by Barton and derive the claimed limitation since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Since applicant uses the phrase “at least one of,” citation for one feature will be sufficient to cover the scope of the claim.



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TZU-HSIANG (SEAN) LAN whose telephone number is (571)270-7054. The examiner can normally be reached on Monday-Friday 8am-4pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth V. Boswell can be reached on (571)272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TZU-HSIANG (SEAN) LAN/  
Examiner, Art Unit 3623  
/Jonathan G. Sterrett/  
Primary Examiner, Art Unit 3623